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Agenda item 65

Indigenous issues

Report of the Third Committee

Rapporteur: Mr. Asif **Garayev** (Azerbaijan)

I. Introduction

1. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fifth session the item entitled:

"Indigenous issues:

"(a) Indigenous issues;

"(b) Second International Decade of the World's Indigenous People"

and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 18th, 19th, 31st and 46th meetings, on 18 and 26 October and 16 November 2010. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/65/SR.18, 19, 31 and 46).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the midterm assessment of the progress made in the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People (A/65/166);

(b) Note by the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations (A/65/163);

(c) Note by the Secretary-General transmitting the interim report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/65/264).

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4. At its 18th meeting, on 18 October, the Committee heard introductory statements by the Assistant Secretary-General and Special Adviser to the Secretary-General on Gender Issues and Advancement of Women and the representative of the Office of the United Nations High Commissioner for Human Rights (see A/C.3/65/SR.18).

5. At the same meeting, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people made a presentation and engaged in a dialogue with the representatives of Guatemala, Australia, the Islamic Republic of Iran, Mexico, Canada, Nicaragua, Botswana, the Plurinational State of Bolivia, Brazil and the United States of America and the observer for the European Union (see A/C.3/65/SR.18).

II. Consideration of proposals

A. Draft resolution A/C.3/65/L.22 and Rev.1

6. At the 31st meeting, on 26 October, the representative of Bolivia (Plurinational State of), on behalf of Argentina, Benin, Bolivia (Plurinational State of), Cuba, the Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Nicaragua and Venezuela (Bolivarian Republic of) introduced a draft resolution entitled "Indigenous issues" (A/C.3/65/L.22), which read:

"*The General Assembly*,

"*Recalling* all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples,

"*Recalling also* its resolution 59/174 of 20 December 2004 on the Second International Decade of the World's Indigenous Peoples (2005-2015),

"*Recalling further* the 2007 United Nations Declaration on the Rights of Indigenous Peoples,

"*Recalling* the 2005 World Summit Outcome, and the outcome document of the 2010 high-level plenary meeting on the Millennium Development Goals,

"*Recalling also* Human Rights Council resolution 15/14 of 30 September 2010, by which the Council decided to extend the mandate of the Special Rapporteur on the rights of indigenous peoples, and resolution 15/7, of 30 September 2010, on human rights and indigenous peoples,

"*Taking note* of the first Peoples' World Conference on Climate Change and the Rights of Mother Earth, held in Tiquipaya, Cochabamba, Plurinational State of Bolivia, from 20 to 22 April 2010,

"*Concerned* about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators, and about the impediments to their full enjoyment of their individual and collective rights,

"1. *Welcomes* the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples;

"2. *Also welcomes* the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations;

"3. *Decides* to approve the expansion of the mandate of the United Nations Voluntary Fund for Indigenous Populations in order to facilitate the participation of representatives of indigenous peoples' organizations in sessions of the Human Rights Council and of human rights treaty bodies;

"4. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Populations and the United Nations Voluntary Fund for the Second Decade, and invites indigenous organizations and private institutions and individuals to do likewise;

"5. *Encourages* those States that have not yet ratified or acceded to the International Labour Organization Convention concerning Indigenous and Tribal Peoples in Independent Countries, Convention C169, to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support by States for that Declaration;

"6. *Takes note* of the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people;

"7. *Takes note* of the report of the Secretary-General on the midterm assessment of the progress made in the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People;

"8. *Calls upon* Member States to consider creating special national committees on the Second International Decade of the World's Indigenous People in order to promote the implementation of the Second Decade, and to strengthen international cooperation for the solution of problems faced by indigenous peoples in such areas as culture, education, health, human rights, the environment and social and economic development by means of action-oriented programmes and specific projects, increased technical assistance and relevant standard-setting activities, in line with the recommendations contained in the report of the Secretary-General on the midterm assessment of the Second International Decade of the World's Indigenous People;

"9. *Decides* to organize under the auspices of the United Nations a world Indigenous Peoples' Conference in 2014, to adopt measures to pursue the objectives of the United Nations Declaration on the Rights of Indigenous Peoples, and invites the President of the General Assembly to conduct open-ended informal consultations with Member States with a view to determining the modalities of the conference;

"10. *Requests* the Secretary-General, in consultation with Member States, relevant United Nations organizations and mechanisms and other stakeholders, including indigenous organizations, to submit to the Assembly at its sixty-seventh session a report that evaluates progress made in the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People and its impact on the achievement of the Millennium Development Goals;

"11. *Decides* to continue consideration of this question under the agenda item entitled 'Indigenous issues'."

7. At its 46th meeting, on 16 November, the Committee had before it a revised draft resolution entitled "Indigenous issues" (A/C.3/65/L.22/Rev.1), submitted by Albania, Argentina, Armenia, Australia, Benin, Bolivia (Plurinational State of), Brazil, Canada, Chile, the Congo, Croatia, Cuba, Cyprus, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, Greece, Guatemala, Honduras, Italy, Luxembourg, Mexico, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Spain, the United States of America, Uruguay and Venezuela (Bolivarian Republic of).

8. At the same meeting, the representative of the Plurinational State of Bolivia orally corrected operative paragraph 7 of the revised draft resolution by replacing the words "indigenous people" with the words "Indigenous peoples".

9. Also at its 46th meeting, the Committee adopted draft resolution A/C.3/65/L.22/Rev.1, as orally corrected (see para. 11).

10. After the adoption of the draft resolution, a statement was made by the representative of the United Kingdom of Great Britain and Northern Ireland (see A/C.3/65/SR.46).

III. Recommendation of the Third Committee

11. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Indigenous issues

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples,

Recalling also its resolution 59/174 of 20 December 2004 on the Second International Decade of the World's Indigenous People (2005-2014),

Recalling further the 2007 United Nations Declaration on the Rights of Indigenous Peoples,[1] which addresses their individual and collective rights,

Recalling the 2005 World Summit Outcome,[2] and the outcome document of the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals,[3]

Recalling also Human Rights Council resolution 15/14 of 30 September 2010,[4] by which the Council decided to extend the mandate of the Special Rapporteur on the rights of indigenous peoples, and resolution 15/7 of 30 September 2010,[4] on human rights and indigenous peoples,

Taking note of the first Peoples' World Conference on Climate Change and the Rights of Mother Earth, held in Tiquipaya, Cochabamba, hosted by the Plurinational State of Bolivia from 20 to 22 April 2010,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators, and about the impediments to their full enjoyment of their rights,

1. *Welcomes* the work of the Special Rapporteur, and takes note with appreciation of his report on the situation of human rights and fundamental freedoms of indigenous people,[5] and also of his report on the Second International Decade of the World's Indigenous People;[6]

2. *Also welcomes* the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations;[7]

3. *Decides* to expand the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it can assist representatives of indigenous peoples'

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[1] Resolution 61/295, annex.
[2] See resolution 60/1.
[3] See resolution 65/1.
[4] See *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53A* (A/65/53/Add.1), chap. II.
[5] See A/65/264.
[6] See A/64/338.
[7] See A/65/163.

organizations and communities to participate in sessions of the Human Rights Council and of human rights treaty bodies, based on diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996;

4. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Populations and the United Nations Trust Fund for the Second International Decade, and invites indigenous organizations and private institutions and individuals to do likewise;

5. *Encourages* those States that have not yet ratified or acceded to the International Labour Organization Convention concerning Indigenous and Tribal Peoples in Independent Countries, Convention C169, to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples,[1] and welcomes the increased support by States for that Declaration;

6. *Takes note* of the report of the Secretary-General on the midterm assessment of the progress made in the achievement of the goal and objectives of the Second International Decade;[8]

7. *Calls upon* States to consider the recommendations contained in the midterm assessment of the implementation of the Second International Decade and to enhance national and international efforts, including international cooperation for the solution of problems faced by indigenous peoples in such areas as culture, education, health, human rights, the environment and social and economic development by means of action-oriented programmes and specific projects, increased technical assistance and relevant standard-setting activities;

8. *Decides* to organize a high-level plenary meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, to be held in 2014, in order to share perspectives and best practices on the realization of the rights of indigenous peoples, including to pursue the objectives of the United Nations Declaration on the Rights of Indigenous Peoples, and invites the President of the General Assembly to conduct open-ended consultations with Member States and with representatives of indigenous peoples in the framework of the Permanent Forum on Indigenous Issues, as well as with the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur in order to determine the modalities for the meeting, including the participation of indigenous peoples in the Conference;

9. *Requests* the Secretary-General, in consultation with Member States, relevant United Nations organizations and mechanisms and other stakeholders, including organizations representing indigenous peoples, to submit to the General Assembly at its sixty-seventh session a report that evaluates the progress made in the achievement of the goal and objectives of the Second International Decade and its impact on the achievement of the Millennium Development Goals;

10. *Decides* to continue consideration of this question at its sixty-sixth session under an item entitled "Rights of indigenous peoples".

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[8] A/65/166.